



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

June 26, 2013

CERTIFIED MAIL

Mr. Patrick McGuire
ARCADIS
6723 Towpath Road
P.O. Box 66
Syracuse, New York 13214-0066



Dear Mr. McGuire:

SUBJECT: Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site; King Highway Landfill Operable Unit 3 – Certificate of Completion of Construction

This letter is being provided as the Certificate of Completion of Construction (CCC) pursuant to Paragraph 27.2 of the Administrative Order by Consent for Response Activity (AOC) No. AOC-ERD-99-010. The Michigan Department of Environmental Quality (MDEQ) has reviewed the Final Report for Completion of Construction, dated May 7, 2013 (Report). The Report provided summaries of the response activities performed under the AOC relating to the construction phase, and contains sufficient information to document that construction activities have been completed satisfactorily.¹

As set forth in the schedule for completing response activities in the Scope of Work under the AOC, after the issuance of this CCC, Georgia-Pacific LLC (GP) is required to record the two agreed-upon Restrictive Covenants (one for the Mill Lagoon Properties and one for the Landfill) with the Kalamazoo County Register of Deeds within 21 days. GP is required to provide a true copy of the recorded Restrictive Covenants to the MDEQ within 10 days of receiving the recorded Restrictive Covenants from the register of deeds office. Thirty days after providing the MDEQ with the true copies, GP will submit documentation to the MDEQ that all required institutional controls and operation and maintenance plans are in place and being implemented.

This CCC is provided pursuant to the terms of the AOC, and derived from representations and information contained in the documents submitted to and approved by the MDEQ. The MDEQ reserves the right to take an action against GP if it is discovered at any time that any material information provided in the Report was false or misleading. This CCC does not convey or imply any other position of the MDEQ

¹ As-built diagrams of the landfill typically provided in construction projects are not available. The MDEQ agrees that GP made valid attempts to obtain the as-built diagrams, but was unsuccessful. The lack of as-built diagrams does not obviate GP's obligation to fulfill its full operation and maintenance activity obligations pursuant to approved operations and maintenance plans into the future.

CERTIFIED MAIL

Mr. Patrick McGuire

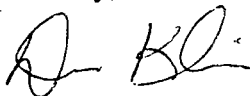
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June 26, 2013

regarding known or potential environmental conditions or compliance with environmental protection laws and regulations at the Site. In providing this CCC, the MDEQ makes no warranty or guarantee as to the fitness of this Site for any general or specific use.

Details about response activities undertaken at this facility may be found at the MDEQ, Remediation and Redevelopment Division, Superfund Section, located at 525 West Allegan Street, Lansing, Michigan 48933. If you have specific questions regarding this CCC, please contact Mr. Keith Krawczyk at 517-284-5122, or you may contact me.

Sincerely,



David Kline, Chief
Superfund Section
Remediation and Redevelopment Division
517-284-5121

cc: Mr. Thomas Short, U.S. Environmental Protection Agency
✓ Mr. Michael Berkoff, U.S. Environmental Protection Agency
Ms. Polly Synk, Michigan Department of Attorney General
Mr. Philip Schrantz, MDEQ
Ms. Karen Kligman, MDEQ
Ms. Daria W. Devantier, MDEQ
Ms. Judith Alfano, MDEQ

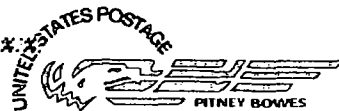
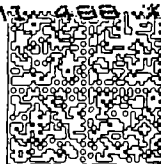
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REMEDATION AND REDEVELOPMENT DIVISION
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
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LANSING, MICHIGAN 48909-7926

*** 07/01/13 LANSING MI 489 ***

PRESORTED
FIRST CLASS



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MAILED FROM ZIP CODE 48912

Mr. Michael Berkoff
United States Environmental Protection Agency
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ETD-S5B 60604

